IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

FRIDAY, THE 13TH APRIL 2007 / 23RD CHAITHRA 1929

WP(C).No. 3487 of 2007(M)

PETITIONER:

DR.GEORGE PHILIP, LECTURER
(SELECTION GRADE) DEPARTMENT OF HISTORY,
C.M.S.COLLEGE, KOTTAYAM.

BY ADV. SRI.B.MOHANLAL

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
ITS SECRETARY TO GOVERNMENT, HIGHER EDUCATION
DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DEPUTY DIRECTOR OF COLLEGIATE
EDUCATION, KOTTAYAM.

3. THE MAHATMA GANDHI UNIVERSITY
REPRESENTED BY ITS REGISTRAR, PRIYADARSHINI
HILLS, KOTTAYAM.

R1 & R2 BY GOVT. PLEADER SMT. M.R. SREELATHA.

R3 BY ADV. SRI.V.A.MUHAMMED, SC, M.G.UNIVERSITY

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 13/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC. 3487/2007.

APPENDIX

PETITIONER'S EXTS:

EXT. P1 : THE TRUE COPY OF THE ORDER NO.A.C.EV/1/356/357/2001 DATED 27/9/02 ISSUED BY THE MAHATMA GANDHI UNIVERSITY.

EXT. P2 : THE TRUE COPY OF JUDGMENT DATED 24.1.2003 IN O.P. NO.2700/2003.

EXT. P3 : TRUE COPY OF THE ORDER NO.AC.BV-1/767/2004 DATED 26.3.2005 ISSUED BY THE MAHATMA GANDHI UNIVERSITY.

EXT. P4 : THE TRUE COPY OF LETTER NO.CMS/1104/2005 DATED 23/6/05.

K.M.JOSEPH, J.

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WP.(C) No. 3487 OF 2007

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Dated this the 13th day of April, 2007

JUDGMENT

Approval was granted by the University by Ext. P3 to the placement of the petitioner in Selection Grade. However, monetary benefits are not paid. Petitioner relied on the decision reported in **Cherian Mathew v. Principal, S.B. College, Changanassery** (1998 (2) K.L.T. 144).

2. Heard counsel for the parties.

The writ petition is disposed of as follows:

The second respondent will place his objections to Ext.P3 before the third respondent within one month from the date of receipt of a copy of this judgment. The third respondent will meticulously consider each and every objection and pass a reasoned order, copy of which shall be communicated to the petitioner and the second respondent within one month from the date of receipt of the objections. If the decision is to reiterate Ext.P3, the decision in **Cherian Mathew's Case** will govern the field and the monetary benefits due to the petitioner

will be disbursed to the petitioner without any further delay.

(K.M. JOSEPH, JUDGE)

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K.M.JOSEPH, JJ.

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W.A. No. OF

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JUDGMENT

Dated this the day of February, 2006.